REMARKS

Status of Application

Claims 1-6 constitute all currently pending claims in the application, of which claims 1

and 6 are independent. Claims 1-6 are amended. Claim 7 is canceled without prejudice or

disclaimer.

Double Patenting Rejections
A. U.S. Patent Application No. 10/354,986 to Lee et al.

Claims 1 and 4 stand provisionally rejected under the doctrine of obviousness-type

double patenting as allegedly being unpatentable over claim 1 of copending U.S. Patent

Application No. 10/354,986 to Lee et al. ("Lee '986"). Applicant respectfully holds in abeyance

its response to this provisional rejection, pending further prosecution of the cited reference.

B. U.S. Patent No. 6,631,162 to Lee et al. and U.S. Patent No. 6,665,346 to Lee et al.

Claims 1-7 stand rejected under the doctrine of obviousness type double patenting as

allegedly being unpatentable over claims 1-3 of U.S. Patent No. 6,665,162 to Lee et al. ("Lee

'162").

Claim 1-7 stand rejected under the doctrine of obviousness type double patenting as

allegedly being unpatentable over claims 1-3, 28-29, and 32-33 of U.S. Patent No. 6,665,346 to

Lee et al. ("Lee '346").

Applicant respectfully submits that claims 1-6 are patentably distinct from the claims of

the cited references, at least by virtue of the amendments made herein, and the remarks set forth

below.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-7 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,475,434 to Kim ("Kim '434"). Applicant traverses this rejection for at least the following reasons.

Claims 7 is canceled, thereby rendering its rejection moot. Claim 1 is amended to require that "the performing the filtering comprises not performing filtering if the central pixel of the filter window is an edge."

The Examiner contends that Kim '434 teaches the generation of flag information, citing Kim '434 at col. 7, lines 24-37. This portion of Kim '434 shows, however, that although Kim '434 appears to generate a filtering flag FF via the "filtering flag generator 272," this flag generation is performed in the following manner:

> Referring to FIG. 8, there is shown a detailed circuit diagram of the filtering flag generator 272 in FIG. 5. . . . [T]he filtering flag generator 272 includes . . . an AND gate 272C for generating the filtering flag FF in response to the output signals from the comparators 272A and 272B. Here, the AND gate 272C generates the filtering flag FF when both the output signals from the comparators 272A and 282B are logical "1".

(Kim '434 at col. 7, lines 24-37.)

The method for generating filtering flag information is thus significantly different in Kim '434, and does not appear to teach or suggest "not performing filtering if the central pixel of the filter window is an edge," as required by amended claim 1.

Since Kim '434 fails to teach this required element of amended claim 1, Kim '434 fails to anticipate claim 1. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of amended independent claim 1 and its dependent claims 2-5.

Claim Rejections Under 35 U.S.C. § 103

Claims 2, 5, and 6 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kim '434 in view of U.S. Patent No. 5,946,421 to Kim ("Kim '421"). Applicant traverses this rejection for at least the following reasons.

Claims 2 and 5 depend from amended independent claim 1. The deficiencies of Kim '434 with respect to claim 1 are set forth above. Moreover, Kim '421 fails to make up for the deficiencies of Kim '434, as Kim '421 is cited only for its alleged teaching of generating filtering flags based on an intra or inter mode indication. The Kim references, therefore, taken alone or as a whole for what they would have meant to one of ordinary skill in the art, fail to render claims 2 and 5 unpatentable. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claims 2 and 5.

Claim 6 is amended to require that "the adaptive filtering unit does not perform the filtering if the central pixel of the filter window is an edge." None of the cited portions of either Kim '434 or Kim '421 appear to teach this required element of amended claim 6. Thus, Kim '434 Kim '421, alone or in combination, fail to teach or suggest each and every element of claim 6. The cited references, therefore, fail to render claim 6 unpatentable. Accordingly, Applicant respectfully requests that the Examiner withdraw this rejection.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed

to be in order, and such actions are hereby solicited. If any points remain in issue which the

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is

kindly requested to contact the undersigned at the telephone number listed below.

This Application is being filed via the USPTO Electronic Filing System (EFS).

Applicants herewith petition the Director of the USPTO to extend the time for reply to the

above-identified Office Action for an appropriate length of time if necessary. Any fee due under

37 U.S.C. § 1.17(a) is being paid via the USPTO Electronic Filing System (EFS). The USPTO is

also directed and authorized to charge all required fees, except for the Issue Fee and the

Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said

Deposit Account.

Respectfully submitted,

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